

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

UNITED STATES OF AMERICA)
)
)
) Criminal Case No. 1:24-CR-003-01/13-SM-AJ-06
V.)
)
)
Angela Demarco)

DEFENDANTS FULLY ASSENTED TO MOTION TO
CONTINUE THE SENTENCING HEARING

Pursuant L.R.12.1(d), counsel for the defendant moves that this Honorable Court continues the Sentencing Hearing currently scheduled for September 24, 2025, at 2 p.m. for a period of approximately 60 days until December 2,3,4 or 5 at a time convenient for the Court. As grounds therefore, counsel states the following:

- 1) On November 6, 2024, the defendant pled guilty pursuant to a plea agreement.
- 2) During the plea hearing counsel for the government and the defendant alerted the Court that this case was likely to be disposed of through the LASER docket.
- 3) On November 6, 2024, counsel and the defendant met with LASER docket probation officer Daniel Whitmoyer for a presentence investigation report interview.
- 4) The defendant is on pretrial conditions of release involving drug treatment, counseling and reporting to probation officer Riaka McCormick.
- 5) Ms. Demarco has had some failures resulting in recent positive drug tests. But Ms. Demarco has also had some successes, and on September 5, 2025, she completed the intensive outpatient treatment program at Eastpoint Recovery Centers.
- 6) Continuance of this matter will allow Ms. Demarco to continue her sobriety/compliance and will allow the defense to make the most persuasive argument possible at the time of sentencing.
- 7) The parties, including probation, the defendant, and the government, are all hopeful that Ms. Demarco will be accepted into the LASER docket program in the near future.
- 8) On September 3, 2025, counsel obtained the assent of the government through Assistant United States Attorney Heather Cherniske by email and the assent of probation through probation officer Riaka McCormick by email.

9) On September 5, 2025, counsel obtained the assent of the defendant, Angela Demarco, by telephone.

10) The defendant is working diligently to continue her treatment prior to the sentencing hearing.

11) Allowance of this continuance would be in the interests of justice.

Respectfully submitted,

/s/ John V. Apruzzese # 268149

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L.R. 7.1(a) MEMORANDUM STATEMENT

A memorandum is not necessary for the proper disposition of this motion.

L.R. 7.1(c) STATEMENT OF CONCURRENCE

On, September 3, 2025, counsel obtained the assent of the government through Assistant United States Attorney Heather Cherniske by email and the assent of Probation Officer Riaka McCormick also by email. On September 5, 2025, counsel obtained the assent of the defendant Angela Demarco by telephone.

CERTIFICATE OF COUNSEL

Counsel certifies that: (A) counsel has consulted with the defendant about the requested continuance, (B) defense counsel has explained to the defendant that, by seeking a continuance, the defendant is waiving his constitutional and statutory rights to a speedy trial, (C) the defendant has personally assented to the continuance, and (D) defense counsel is forthwith mailing to the defendant a copy of the motion to continue.

Certificate of Service

I hereby certify that I served a copy of Counsel's Motion to Extend Time for the Sentencing Hearing pursuant to the CM/ECF system which was sent electronically to the registered participants on this day, September 10, 2025.

/s/ John V. Apruzzese # 268149
